

FILED
UNITED STATES DISTRICT COURT
IN CLERKS OFFICE
DISTRICT OF MASSACHUSETTS
2013 JAN 18 A 11: 28

PAUL M JONES U.S. DISTRICT COURT
DISTRICT OF MASS.
Plaintiff

Civil Action No.

V.

1:12-CV-11503-RWZ

BANK OF NEW YORK,
Trustee for the Certificate Holders,
CWABS, Inc., Asset-Backed
Certificates, Series 2004-7,

MOTION FOR DEFAULT JUDGMENT

The Plaintiff, pursuant to Fed. R. Civ. P. 55(a), moves this Court for entry of a default judgment against Defendants Optima Mortgage, Inc. (hereafter "Optima") has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise In support of this motion, Plaintiff Paul Jones requests the Clerk of Court to enter default Judgment against Defendant Optima Mortgage, Inc. which is not an infant or incompetent person let execution issue.

Plaintiff states as follows:

1. Plaintiff filed his First Amended Complaint on **October 10, 2012**.
2. Defendant Optima was served by Massachusetts Secretary of States through their Registered Agent on **November 14, 2012 at 4:15pm (Docket # 33)** with Plaintiff's Complaint at 15491 Red Hill Avenue, Tustin, CA 92780, copy of the Service of Summons is attached hereto as **Exhibit 1**.
3. Defendants' Optima Mortgage appearances and answers were due on **December 6, 2012**.
4. Defendant Optima Mortgage has had Plaintiffs Complaint for **64 day** as of today January 18, 2012.

5. Plaintiff has been reasonable giving Defendant **an extra 34 days** before Plaintiff filed Default Judgment which is on the **Docket at # 57 Clerk's ENTRY OF DEFAULT.**

6. Entry of Default may be served on the Defendant at 15491 Red Hill Ave, Unit 200 Tustin, CA 92780.

Respectfully submitted,

January 18, 2013

Paul Jones

572 Park Street

Stoughton, Ma 02072

Pj22765@gmail.com

617-458-0612

A handwritten signature in black ink, appearing to read "Paul Jones", is written over the typed name and address.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing will be mailed to all parties on the service list this 18th day of January, 2013.

Optima Mortgage

15491 Red Hill Ave # 200

Tustin, CA 92780

Respectfully Submitted

Paul Jones

572 Park Street

Stoughton, Ma 02072

617-458-0612

A handwritten signature in black ink, appearing to read "Paul Jones", is written over the printed name and address.